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August 23, 2021

Via ECF

Honorable Lorna G. Schofield
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Picard v. Estate of Boyer Palmer, et al.*
Civil Action No. 1:21-cv-02425 (LGS)

Dear Judge Schofield:

We write to bring to the Court's attention that the Bankruptcy complaint in the Adversary Proceeding Case No. 10-5133 in connection with the subject case has been dismissed. Please see attached the Stipulation and Order of Dismissal.

Respectfully submitted,

/s/ Helen Davis Chaitman

Helen Davis Chaitman

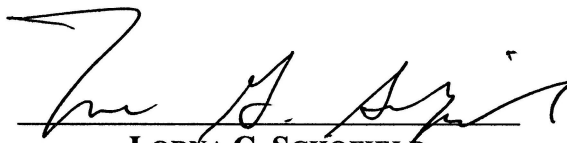
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Encl.

cc: All attorneys of record via ECF

Plaintiff's motion to withdraw the bankruptcy reference is denied as moot. The Clerk of Court is respectfully requested to close the motion at Dkt. No. 1 and close the case.

So Ordered.

Dated: August 24, 2021
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Baker & Hostetler LLP

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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

ESTATE OF BOYER PALMER, in its capacity as the
estate of Boyer Palmer individually and as the former
general partner of B&F Palmer, L.P.; FERN C
PALMER; PAMELA K. MARXEN; KURT B.
PALMER; BRUCE N. PALMER, DIANE HOLMERS,
in her capacity as Personal Representative of the Estate
of Boyer Palmer; and BRUCE PALMER, in his capacity

No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05133 (CGM)

as Personal Representative of the Estate of Boyer
Palmer,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY
DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Fern C. Palmer, Pamela K. Marxen, Kurt B. Palmer, Bruce N. Palmer, Estate of Boyer Palmer, in its capacity as the estate of Boyer Palmer individually and as the former general partner of B&F Palmer, L.P., Diane Holmers, in her capacity as Personal Representative of the Estate of Boyer Palmer, and Bruce Palmer, in his capacity as Personal Representative of the Estate of Boyer Palmer, (“Defendants”) by and through their counsel, Helen Davis Chaitman of Chaitman LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against the Defendants.
2. On September 17, 2015, Defendants served an answer to the Complaint.
3. On August 18, 2021, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding, and dismissal of the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
August 20, 2021

Of Counsel:

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Liquidation of Bernard L. Madoff Investment
Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff*

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Attorney for Defendants

SO ORDERED.

**Dated: August 23, 2021
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge**